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Attorneys for Defendants<sup>1</sup>

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

|                               |   |                         |
|-------------------------------|---|-------------------------|
| KAIWEN CAI,                   | ) | No. C 07-4886 HRL       |
|                               | ) |                         |
| Plaintiff,                    | ) |                         |
|                               | ) |                         |
| v.                            | ) |                         |
|                               | ) | DEFENDANTS' CONSENT TO  |
| MICHAEL B. MUKASEY,* Attorney | ) | MAGISTRATE JURISDICTION |
| General; et al.,              | ) |                         |
|                               | ) |                         |
| Defendants.                   | ) |                         |

In accordance with the provisions of 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73, Defendants hereby voluntarily consent to have a United States Magistrate Judge conduct any and all further proceedings in the case, including trial, and order the entry of a final judgment.

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<sup>1</sup>Defendants reserve the right to assert all appropriate defenses in their responsive pleading. Defendants do not waive proper service.

\*Pursuant to Fed. R. Civ. P. 25(d)(1), Michael B. Mukasey is substituted for his predecessor, Alberto Gonzales, as the United States Attorney General.

CONSENT  
07-4886 HRL

1 Appeal from the judgment shall be taken directly to the United States Court of Appeals for  
2 the Ninth Circuit.

3 Dated: February 22, 2008

Respectfully submitted,

4 JOSEPH P. RUSSONIELLO  
5 United States Attorney

6  
7 /s/  
8 MELANIE L. PROCTOR  
9 Assistant United States Attorney  
10 Attorneys for Defendants  
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